

# MINUTES OF THE NEBRASKA NATURAL RESOURCES COMMISSION MEETING

November 21, 2002

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Those in attendance were:

Joseph Hergott, Chair	Dan Watermeier, Member
Richard Jiskra, Member	Beverly Donaldson, Member
Roger Korell, Member	Arlond Garratt, Member
Wayne Madsen, Member	Dan Zulkosky
Jim Van Marter, Member	Glenn Johnson
Don Roberts, Member	Marlin Petermann
Frank Bartak, Member	Steve Chick
Robert Hahn, Member	Jim Cook, Staff
LeRoy Pieper, Member	Dave Vogler, Staff
Wayne Davis, Member	Tom Pesek, Staff
Garry Anderson, Member	Gayle Starr, Staff
Vince Kramper, Member	

## CALL TO ORDER

The meeting was called to order in the conference room of the Lower Platte South NRD office in Lincoln, Nebraska by Commission Chair Joseph Hergott at approximately 9:30 AM.

## NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on November 13, 2002, notifying the public of the meeting.

## INFORMATIONAL MATERIAL

The following items of informational material were distributed during the course of the meeting and a copy of each is attached to the file copy of the minutes.

1. Nebraska Resources Development Fund Present Financial Status.
2. NRDF Quarterly Report.
3. Semi-Annual Review of NRDF Projects.
3. Status of Small Watersheds Flood Control Fund.
4. Soil and Water Conservation Fund Report.
5. Water Well Decommissioning Fund Allocations.
6. Natural Resources Water Quality Fund Receipts.
7. Soil and Water Conservation Fund Report – Republican Basin Water Meter Program.
8. Minutes of Comprehensive Planning Committee Meeting.
9. Expenditures for September and October 2002.
10. Natural Resources Conservation Service Report.

## MINUTES

Motion was made by Kramper and seconded by Jiskra to approve the minutes of the September 24, 2002 Commission meeting as distributed. Motion carried.

Aye: Roberts, Davis, Jiskra, Donaldson, Bartak, Anderson, Garratt, Kramper, Korell, Pieper, Watermeier, Madsen, Van Marter, Hahn, Hergott

Nay: None

Not Present: Johannes

## EXPENDITURES

Gayle Starr noted that the expenditures involving the Commission funds for September and October, 2002 had been distributed to Commission members.

## ADVISOR'S COMMENTS

Steve Chick, representing the Natural Resources Conservation Service, distributed a report to the Commission and noted that NRCS Chief, Bruce Knight, had visited Nebraska on October 22 & 23 and had visited some RC&D personnel and projects in north-central Nebraska.

Chick briefly outlined the program highlights for the 2002 EQIP program in Nebraska. He added that the NRCS had recently released soil survey information in CD format for Deuel and Sheridan counties. Chick noted that a Nebraska NRCS all employees meeting is scheduled for December 2 through December 4 in Kearney and NRD secretaries and technicians also had been invited to that meeting.

Steve Chick also distributed some information regarding NRCS farm bill implementation, active CRP contracts throughout Nebraska, continuous CRP contracts throughout Nebraska and the CREP program.

## DIRECTOR'S REPORT

Gayle Starr noted that Roger Patterson and Ann Bleed were both in Phoenix involved in intensive negotiations regarding the Republican Basin lawsuit and were unable to attend the meeting. He added that information that Roger would provide to the Commission will be handled under several other agenda items.

## ENVIRONMENTAL TRUST

Vince Kramper noted that the Environmental Trust is making some changes in how they handle multi-year projects. Kramper added that he is currently serving as Chair of the Environmental Trust Board.

## PLATTE RIVER ACTIVITIES

Jim Cook noted that Nebraska representatives are actively involved in intensive negotiations regarding the Republican Basin lawsuit and they are hopeful that a settlement can be reached by the December 15 deadline imposed by the Special Master. With regard to the Platte River Cooperative Agreement process, he indicated he now expects the process will last until at least June or December of 2004 because the model being developed by the Cohyst group is behind schedule and because of the National Academy of Sciences' review of the science utilized by the Fish & Wildlife Service in determining required flows for endangered species. He added that the National Academy of Science has a target date at the end of 2003 for the completion of their review.

## WATER POLICY TASK FORCE

LeRoy Pieper and Jim Cook reported on the Water Policy Task Force meetings held in Kearney on Monday and Tuesday of this week. They noted that the Task Force is now getting into discussions of significant issues and that Task Force members are voicing their views regarding various issues. Cook noted that the next meeting of the full Task Force is scheduled for March with the Executive Committee meeting several times between now and March.

## COMMISSION MEMBER SELECTION CAUCUSES

Gayle Starr explained that Commission member selection caucuses would be held in January for seven positions on the Commission in six separate basins. He explained that in accordance with the law, the caucuses would need to be held between January 9 and January 17 and that he would be working with NRD managers to establish a schedule of meeting times and places for those caucuses. He added that any Commission members involved in those basins could visit with either the NRD managers or himself regarding their wishes on when and where those caucuses ought to be held.

PROGRAM COMMITTEE

Beverly Donaldson noted that all Commission members present except for Richard Jiskra had been present at the Program Committee meeting on Wednesday afternoon and asked if there were any questions concerning any of the Resources Development Fund status reports. Donaldson then called on Dan Zulkosky, the City Manager for Wakefield. Zulkosky thanked the Commission for the financial support provided for their levee project. He noted that the levee was now completed and that the City Council and citizens of Wakefield were pleased with the completed project. He added that they are working with the Department of Roads to construct a trail on the levee. He added that the project had gone well and particularly cited the JEO Engineering firm for their assistance, Porter Construction of Norfolk, for their good work on building the levee and Don Meisner of SIMPCO for providing administrative support in developing and completing the project. He added that the assistance of the Commission and DNR staff was very helpful in getting the project completed.

Donaldson explained that the first committee recommendation for action was an increase in the allocation on the Powder Creek Project which was explained by Tom Moser at the committee meeting on Wednesday. Donaldson submitted the committee motion that the Natural Resources Commission approve the Lewis & Clark NRD's request for an increased allocation of \$12,894.00 for Component #3 – Land Rights Acquisition (Relocation) of the Powder Creek Project, increasing the total project allocation to \$466,565.40. Motion carried.

Aye: Davis, Jiskra, Donaldson, Bartak, Anderson, Garratt, Kramper, Korell, Pieper, Watermeier, Madsen, Van Marter, Hahn, Roberts, Hergott

Nay: None

Not Present: Johannes

Donaldson explained that the second committee action was to obligate funds for three separate projects. Donaldson submitted the committee recommendation that the Natural Resources Commission obligate funds, effective immediately, as follows:

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|---|--------------|
| (1) Powder Creek Project<br>Component #3 – Land Rights Acquisition (Relocation) | \$12,894.00  |
| (2) Antelope Creek Project<br>Component #4 – R-O-W Acquisition and Relocations  | \$139,000.00 |
| (3) Western Sarpy/Clear Creek Project<br>Component #3 – Right-Of-Way (Partial)  | \$139,000.00 |

Aye: Jiskra, Donaldson, Bartak, Anderson, Garratt, Kramper, Korell, Pieper, Watermeier, Madsen, Van Marter, Hahn, Roberts, Davis, Hergott

Nay: None

Not Present: Johannes

Donaldson added that Commission members had been provided status reports on the Small Watersheds Flood Control Fund, Soil & Water Conservation Fund, Natural Resources Water Quality Fund, and Water Well Decommissioning Fund.

LEGISLATIVE AND BUDGET COMMITTEE

Arlond Garratt explained that all Commission members had been present for the committee meeting earlier Thursday and that unless there were particular questions about either the legislative items or budget items discussed, he would not review the items discussed at the committee meeting.

RECOGNITION OF COMMISSION MEMBERS

Frank Bartak and Richard Jiskra both indicated that they would not be candidates for reelection to the Commission and therefore this was their last meeting. Commission members expressed appreciation for their service. A motion was made by Van Marter and seconded by Kramper to recognize the 20 years of service on the Commission of Frank Bartak and the eight years of service of Richard Jiskra. Motion carried.

Aye: Donaldson, Bartak, Anderson, Garratt, Kramper, Korell, Pieper, Watermeier, Madsen,

Van Marter, Hahn, Roberts, Davis, Jiskra, Hergott

Nay: None

Not Present: Johannes

COMPREHENSIVE PLANNING COMMITTEE

Wayne Madsen explained that minutes of the Comprehensive Planning Committee meeting held on Wednesday afternoon had been distributed to Commission members and the committee was not recommending any Commission action on any item.

NEXT MEETING

The next meeting of the Commission will be January 29, 2003, immediately after the NARD legislative conferences being held at the Embassy Suites in Lincoln and arrangements will be made to have the Commission meeting the afternoon of the 29<sup>th</sup> also at the Embassy Suites.

ADJOURNMENT

The meeting was adjourned at approximately 10:35 a.m.

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Chair

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Director of Natural Resources